

Comment Register
Proposed Phosphorus Management Tool Regulation
October 28-November 1, 2013

No.	Source	Date Received	Form	Date Acknowledged	Form of Acknowledgement
111	Ed Fry	10/28/13	Postcard	10/28/13	Mail
112	Debbie Luthy	10/28/13	Postcard	10/28/13	Mail
113	Robert Jackson, Jr.	10/28/13	Postcard	10/28/13	Mail
114	Jim Saathoff	10/28/13	Postcard	10/28/13	Mail
115	Tommy and Donna Smith	10/28/13	Postcard	10/28/13	Mail
116	Tommy and Donna Smith	10/28/13	Postcard	same	
117	George Stutzman	10/28/13	letter	10/28/13	Mail
118	Keith Moore	10/28/13	letter	10/28/13	Mail
119	Bert Klotz	10/28/13	Form Letter	10/28/13	Mail
120	Clyde B. Stevenson, Jr.	10/28/13	Form Letter	10/28/13	Mail
121	Lewis Quinton Riley	10/28/13	Form Letter	10/28/13	Mail
122	L. Quinton Riley	10/28/13	Form Letter	same	
123	Tommy and Donna Smith	10/29/13	Postcard	same	
124	Tommy and Donna Smith	10/29/13	Postcard	same	
125	Kyle Hutchison	10/29/13	Postcard	10/29/13	mail
126	Robert K. Taylor	10/29/13	Postcard	10/29/13	mail
127	Charles Carpenter	10/29/13	Postcard	10/29/13	mail
128	Doris Cory	10/29/13	Postcard	10/29/13	mail
129	Richard Nagel	10/29/13	Postcard	10/29/13	mail
130	Eddie Johnson	10/29/13	Postcard	10/29/13	mail
131	Ricky Holland	10/29/13	Postcard	10/29/13	mail
132	Michael King	10/29/13	Form Letter	10/29/13	mail
133	William T. Marshall	10/29/13	Form Letter	10/29/13	mail
134	Chris Wheatly	10/29/13	Form Letter	10/29/13	mail
135	John Green	10/29/13	Form Letter	10/29/13	mail
136	Janice W. King	10/29/13	Form Letter	10/29/13	mail
137	Sarfraz Ahmad	10/29/13	Form Letter	10/29/13	mail
138	Edward S Calloway, Sr.	10/29/13	Form Letter	10/29/13	mail
139	Randall L. Welch	10/29/13	Form Letter	10/29/13	mail
140	Elaine Patterson	10/29/13	Form Letter	10/29/13	mail
141	John Furbush	10/29/13	Form Letter	10/29/13	mail
142	Charles A. Hickman	10/29/13	Form Letter	10/29/13	mail
143	Patricia A. Welch	10/29/13	Form Letter	10/29/13	mail
144	Dr. Paul Twining, Jr	10/30/13	letter	10/30/13	mail
145	Tom Mgyuen	10/30/13	letter	10/30/13	mail
146	Robert Fitzgerald	10/30/13	letter	10/30/13	mail
147	Ellen Denny	10/30/13	letter	10/30/13	mail
148	Robert A. Murphy	10/30/13	letter	10/30/13	mail
149	Paul Miles, Jr.	10/30/13	letter	10/30/13	mail
150	W. Simpson Dunahoo	10/30/13	letter	10/30/13	mail
151	James Kurtz	10/30/13	letter	10/30/13	mail

152	Thomas W. Wilkins	10/30/13	Form Letter	10/30/13	mail
153	Doris Weber	10/30/13	Form Letter	10/30/13	mail
154	David Shockley	10/30/13	Form Letter	10/30/13	mail
155	William W. Kenney	10/30/13	Form Letter	10/30/13	mail
156	Marcy S. Shockley	10/30/13	Form Letter	10/30/13	mail
157	Patricia L. Fisher	10/30/13	Form Letter	10/30/13	mail
158	Glenn Marvel	10/30/13	Form Letter	10/30/13	mail
159	Carolyn Webster	10/30/13	Form Letter	10/30/13	mail
160	Raymond N. Welch	10/30/13	Form Letter	10/30/13	mail
161	Frank Smigleski	10/30/13	Postcard	10/30/13	mail
162	Ronald Diem	10/30/13	Postcard	10/30/13	mail
163	Walter Denny	10/30/13	Postcard	10/30/13	mail
164	Patricia Langenfelder	10/30/13	Postcard	10/30/13	mail
165	Lingan Spicer	10/30/13	Postcard	10/30/13	mail
166	Jeff Harris	10/30/13	Postcard	10/30/13	mail
167	Ronald T. Fisher	10/30/13	Form Letter	10/30/13	mail
168	James M. Wade	10/30/13	Form Letter	10/30/13	mail
169	Kim M. Wade	10/30/13	Form Letter	10/30/13	mail
170	H Jean Leonaard	11/01/13	Form Letter	11/01/13	mail
171	Randolph B Bloxom	11/01/13	Form Letter	11/01/13	mail
172	James K Raley, Jr	11/01/13	Letter	11/01/13	mail
173	Ryan Marshall	11/01/13	Form Letter	11/01/13	mail
174	John Van Ginhoven	11/01/13	Form Letter	11/01/13	mail
175	Moore Farms	11/01/13	Form Letter	11/01/13	mail
176	George Bowman	11/01/13	Letter	11/01/13	mail
177	Young Kim	11/01/13	Form Letter	11/01/13	mail
178	Brad & Justin Murphy	11/01/13	Letter	11/01/13	mail
179	Young Sang An	11/01/13	Form Letter	11/04/13	mail
180	Clara Lee Jeon	11/01/13	Form Letter	11/01/13	mail

Secretary of Agriculture Buddy Hance stated that he had received only eight comments about the new Phosphorous Management Tool (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson - President, Maryland Grain Producers Association



Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

The PMT Science is Sound but the proposed regulation does not address the economic impact this has on the dairy industry. (nor poultry industry) There has been no attempt to include organic farmers into the discussion

How far do we need to exceed TMDL P removal before enough is enough?

Do you realize these regulations are driving animal agriculture out of our State?

RECEIVED

OCT 28 2013

OFFICE OF THE SECRETARY
Our Farms, Our Future

Sincerely,

Name: ED FRY
Address: 10115 A. HERMAN HWY
CHESTERTOWN MD
Phone: 410-739-5000
Email: edwinR.fry@gmail.com



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Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

The new PMT regulation needs more study by qualified scientists. It will be very detrimental to the ag community, the ag businesses and the poultry industry if implemented in a hurried fashion. Also, homeowners need to be included in this study.

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OCT 28 2013

OFFICE OF THE SECRETARY

Our Farms, Our Future

Sincerely,
Name: Debbie Luthy
Address: 4504 Maple Ram Rd.
Cambridge Md. 21613
Phone:
Email: debbie.luthy@mcis.com

112

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Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

continue to allow chicken manure to be used
on our farm lands. Have real proof before
you stop it.

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OCT 28 2013

OFFICE OF THE SECRETARY

Our Farms, Our Future

Sincerely,
Name: Robert Jackson Jr
Address: 6074 WARESTONE HAVEN
SNOW HILL, MD 21863
Phone: 410 632 1108
Email:

113

Secretary of Agriculture Boddy Hance stated that he had received only eight comments about the new Phosphorus Management Tool (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson, President, Maryland Grain Producers Association



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Dear Secretary Hance:

I WILL LIST SOME OF MY CONCERNS

- ① PEOPLE MAKING DECISIONS AND POLICY THAT HAVE NEVER BEEN IN PRODUCTION AG.
- ② WE KNOW THAT YOU CANNOT GET ENOUGH P OUT OF GROUND TO GROW A CROP WITH THE 150 INDEX #.
- ③ ARE YOU GOING TO PAY US AS YIELDS GO DOWN AS A RESULT OF YOUR POLICIES?
- ④ WHY NOT PICK ON EVERYBODY ELSE THE WAY YOU ARE NOW UNFAIRLY PICKING ON AG.
- ⑤ IT IS A SHAME O'MALLEY IS USING FARMERS FOR HIS POLITICAL GAIN

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OCT 28 2013

OFFICE OF THE SECRETARY
Our Farms, Our Future

Sincerely,

Name: Jim Saathoff
Address: 22975 SAA THORP RD
DENTON, MD 21629
Phone: 443 786 2142
Email: SUESIM1@LIVE.COM

114

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Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

Why is there a rush to implement the PMT when the WIP and Bay models are still in the process of being updated and changed ongoing. If the University of Maryland's science based data has confirmed that the PMT will not make a significant change from the PSI that is currently used, why make the change?

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OCT 28 2013

OFFICE OF THE SECRETARY

Our Farms, Our Future

Sincerely,

Name:

Address:

Phone:

Email: donna.landissmith@hotmail.com

115

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Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

The PMT should be postponed until the Bay model has an accurate amount of manure that is produced in Maryland. EPA should be made to correct the estimated number of tons of poultry manure in Maryland to reflect the actual number of tons according to the AIR's.

RECEIVED

OCT 28 2013

OFFICE OF THE SECRETARY

Our Farms, Our Future

Sincerely,

Name:

Address:

Phone:

Email:

donnalandissm.ih@hotmail.com

116

117
October 24, 2013

Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21841

Dear Secretary Hance:

I am a poultry grower who lives in Caroline County and I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool.

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward at breakneck speed for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as you have stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

Allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool will cause no environmental harm. For decades, the scientific and regulatory community told farmers not to worry about applications of phosphorus to the soil because unless the soil moved, the phosphorus would not move. Recently, that thinking changed and farmers began applying manures based upon their phosphorus content. The phosphorus levels in soils and waters were achieved over decades and will not be corrected for decades, even if this new regulation changes manure application procedures in 2015. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. An orderly phase-in will allow the agricultural community to adjust and make required changes. Additionally, we saw firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and/or private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparisons in 2014 to provide valid results does not seem feasible.

Here are some of my concerns about the near-immediate implementation of this regulation. First and foremost, how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done?

Chicken Farms

- Denied the ability to use manure, a locally produced organic fertilizer, on their own crops, some chicken farmers will have to buy commercial fertilizer to replace chicken manure they already own. That will have a negative economic impact on the chicken growers.
- Chicken growers who have been selling their manure to other farmers may no longer have customers, thus a loss of income.
- Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the cleaning/transporting company may not be able to sell the manure to make a profit and cover the costs of cleaning/transporting.
- Even if the MDA establishes the state storage sites, it will be the chicken growers' responsibility to transport the manure to the site, possibly creating a cost for the chicken growers.

- If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.


Crop Farmers

- Denied the ability to use manure on their crops, crop farmers will have to buy commercial fertilizer to replace chicken manure that they have been using.
- Crop farmers who have used manure and not commercial fertilizers may have to buy or rent commercial fertilizer application equipment, thus raising their costs of doing business.
- Crop farmers wanting to hire a fertilizer applicator might find that there are not enough applicators or equipment in the short fertilizer application period to allow timely fertilizer applications. Increased demand in services will allow these applicators to raise their fees, thus higher costs for crop farmers.
- While commercial fertilizer will help a crop grow, the micronutrients and organic material in animal manure will help grow a larger crop. If yields are lessened due to the loss of organic material and micronutrients, then farmer income will diminish.
- Crop farmers and chicken farmers alike will most likely have to alter their business plans in ways that weaken their ability to withstand adverse growing conditions and/or markets – requiring new expenditures/capital purchases while at the same time artificially reducing their potential yields.
- Crop farmers could see increased effects of drought on their crops as a result of losing poultry litter's organic material that helps build up the soil's moisture retaining capabilities.

Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality.

Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,


George Stutzman
Denton, MD

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OCT 28 2013

OFFICE OF THE SECRETARY

Stutzman
24510 Station Rd.
Denton MD 21129

118

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October 23, 2013

OCT 28 2013

Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21841

OFFICE OF THE SECRETARY

Dear Secretary Hance:

I am a poultry company employee who has worked in Somerset, Dorchester, Wicomico and Worcester counties for more than thirty years. I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool.

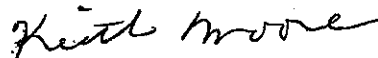
The proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is still moving forward. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as you have stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

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Respectfully yours,



Keith Moore
Princess Anne, MD

Moore
10789 Stewart Neck Rd
Princess Anne, MD 21853

119
October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy.
Annapolis, MD 21401

Dear Mrs. Mercer,

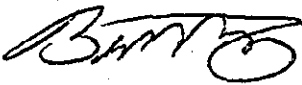
I am writing to oppose the upcoming requirement that all Maryland nutrient management plans utilize the new, and untested, Phosphorus Management Tool (PMT). This tool will unfairly burden farm operations in my area by limiting and/or eliminating the option of poultry litter as an organic, slow release fertilizer. The costs associated with replacing poultry litter with an equivalent commercial fertilizer range from approximately \$100 to \$350 per acre. The additional costs associated with replacing litter as a nutrient source will place an unfair burden on Delmarva grain producers. In addition, poultry farmers will suffer as no viable option currently exists to take the manure generated on their farms, thus the costs of reutilization will fall on their shoulders. While MDA argues that the manure transport program will handle the exportation of manure, the reality is the trucking resources and cost recovery processes do not exist. Relocation of poultry litter on the scale required to satisfy the requirements under the PMT are not feasible, period!

Delmarva farmers and MDA through cost share programs have made considerable investments in storage, spreading equipment and manure management tools to minimize the environmental effects of poultry litter while maximizing the benefits to soil health and crop production. The PMT will render these investments useless and require similar and redundant investments wherever the ultimate fate of the manure resource proves to be.

I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

Signature



Printed Name

BETTY KLOTZ

Street Address

P.O. BOX 100, 2471 SPRING LAKE

City, State, Zip

NANTICOKE, MD. 21840

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OCT 25 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

120
October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

Dear Mrs. Mercer,

I am writing to oppose the upcoming requirement that all Maryland nutrient management plans utilize the new, and untested, Phosphorus Management Tool (PMT). This tool will unfairly burden farm operations in my area by limiting and/or eliminating the option of poultry litter as an organic, slow release fertilizer. The costs associated with replacing poultry litter with an equivalent commercial fertilizer range from approximately \$100 to \$350 per acre. The additional costs associated with replacing litter as a nutrient source will place an unfair burden on Delmarva grain producers. In addition, poultry farmers will suffer as no viable option currently exists to take the manure generated on their farms, thus the costs of reutilization will fall on their shoulders. While MDA argues that the manure transport program will handle the exportation of manure, the reality is the trucking resources and cost recovery processes do not exist. Relocation of poultry litter on the scale required to satisfy the requirements under the PMT are not feasible, period!

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Sincerely,

Signature

Printed Name CLYDE B. STEVENSON JR.

Street Address 3569 Phillips Rd

City, State, Zip Salisbury Md, 21804

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OCT 25 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

121
October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,

Signature

L. A. Riley

10/24/13

Printed Name

Lewis Quinton Riley

Street Address

33002 Dagsboro Rd

City, State, Zip

Parsonsburg Md 21849

RECEIVED

OCT 25 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

122
October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,

Signature

L. Q. R. (Pres)

Printed Name Beaver Run Farms Inc.

Street Address 33002 Dagboro Rd

City, State, Zip Parsonsburg Md 21849

RECEIVED

OCT 25 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

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Dear Secretary Hance:

Using the PMT would not decrease the P levels that are currently in the soil. It is proven that even though phosphorus is not applied on fields that crops planted do not take up high levels of P in the soil. There is no real benefit to use the PMT, the scientists from the Univ. of Maryland verified that with their soil samples on the farms they have been testing in southern Maryland. It is a waste of resources to implement a new regulation that does not work?

Sincerely,

Name:

Address:

Phone:

Email:

donnalandissm.44@hotmail.com

OCT 29 2013

OFFICE OF THE SECRETARY
Our Farms, Our Future

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Dear Secretary Hance:

How do poultry producers who do not own a truck to move their manure to another property, plan to pay a truck driver to move manure. If the manure is moved to a state facility who monitors how the manure is piled and who monitors the manure test to each pile of manure. Who benefits when the manure is purchased the farmer or the state?

Sincerely,

Name:

Address:

Phone:

Email:

donnalandissm.44@hotmail.com

Our Farms, Our Future

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Dear Secretary Hance:

(1) Due to the highly negative financial impact on farmers with high phosphorus levels and also due to the other uncertainties for growers as to what to do with the excess manure - the proposed "Emergency" PMT Regulation should be put forth as a compromise. The compromise should be raising the phosphorus FIV to around 350 and then studying the economic and environmental effects of the compromise before proceeding with additional regulation.

(2) Has any research been done to determine the additional amount of nitrogen that would be released into the environment when UAN is used as a replacement for the slow release nitrogen in poultry litter - are we really benefitting the environment w/ the proposed regulation? - maybe the unintended consequences of additional UAN application would offset the environmental gains of the regulation.

Sincerely,

Name: Kyle Hutchison
Address: 11229 Lewistown Road
CORODON, MD 21625
Phone: 410-820-2093
Email: Hutchisonbrothers@hotmail.com

12.5

Our Farms, Our Future

Secretary of Agriculture Buddy Hance stated that he had received only eight comments about the new Pesticide Management Order (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson, President, Maryland Grain Producers Association



Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

I think that the PMT regulation is going too far based on bias and limited facts for an agency that promotes agriculture on the eastern shore and across the entire state to satisfy a few wealthy and well funded organizations. When the cities and private home owners and also the boaters and wildlife in the area contribute heavily to pollution in the river and bay. Probably, there is a good fit coming from the headwaters of the bay coming from Pa. and N.Y. I live in Delaware but my livelihood is based entirely on Agriculture in Maryland.

P.S. I thought your office was to serve not punish the farmers in the state

Sincerely,
Name: Robert K. Taylor
Address: 433 Chathamwood Rd.
Houston De. 19754
Phone: 302-518-9234
Email: bob.taylor@providencenews.com

RECEIVED

NOV 25 2013

Our Farms, Our Future

Secretary of Agriculture Buddy Hance stated that he had received only eight comments about the new Phosphorous Management Tool (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson, President, Maryland Grain Producers Association



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Dear Secretary Hance:

Buddy
The Phosphorous Regulations as written will destroy the livelihood of many a good farmer on the Eastern Shore. Please work to raise the limits and phase in over the next 3 to 5 years and give the Agriculture Industry time to absorb the change. Make this a win-win for the Chesapeake Bay and Agriculture.
Thank You.
Charlie Carpenter

RECEIVED

OCT 29 2013

OFFICE OF THE SECRETARY
Our Farms, Our Future

Sincerely,
Name: Charlie Carpenter
Address: 10750 Brownstone Rd
Princess Anne Md 21853
Phone: 410-651-3520
Email: Charlie.Carpenter@Fmda.com

127

Secretary of Agriculture Buddy Hance stated that he had received only eight comments about the new Phosphorous Management 2001 (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson, President, Maryland Grain Producers Association



Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

Why Do you Always Want To Blame The Farmers For Polluting The Bay! What About The Golf Courses who Put on Fertilizer. The Farmers Need To use their manure like they have been I have Cattle on Hog S I also have a feeding & Manure Storage Facility with Hay mixed in with the manure plus our dog bed up in straw so that the can compost together then we spread the manure out! So please rethink the PMT regulations.

RECEIVED

Sincerely,

Name:

Address:

Phone:

Fax:

Doris Carey

8073 Bowland Rd.

Pocomoke City MD 21851-3835

Home - 410-454-2175

Cell - 443-644-829

Our Farms, Our Future Your Food

Secretary of Agriculture Buddy Hance stated that he had received only eight comments about the new Phosphorus Management Tool (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson - President, Maryland Grain Producers Association



Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

I'm writing this letter in response to the new PMT regulations being proposed. I am a chicken farmer using the bulk of my manure on my 150 acres of land. I manage the manure application through my Nutrient Management Plan and test my soil yearly for any deficits. I have buffers around my fields where there are ditches and feel any new regulations are unfair therefore I am against any new regulations being proposed.

RECEIVED

OCT 29 2013

Our Farms, Our Future

Sincerely,
Name: Richard Nagel
Address: 5714 Adams Rd
Federalburg, MD 21632
Phone: 410 754-8876
Email: Connie5534@gmail.com

Secretary of Agriculture Buddy Hance stated that he had received only eight comments about the new Phosphorus Management Plan (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson, President, Maryland Grain Producers Association



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OCT 29 2013

Dear Secretary Hance:

IF PASSED this will finish
Agriculture on the EASTERN Shore
DO AN ECONOMIC & ENVIRONMENTAL
IMPACT Study - We ARE MEASURING Results in
the bay now that took place 12 yrs AGO
political science
VS
Real Science
does USFMD have
REAL SCIENCE

OFFICE OF THE SECRETARY

Sincerely,
Name: Ed Leffler

Address: 3131 Leffler
Chesapeake, Maryland

Phone: 410 957 3577

Email:

Our Farms, Our Future

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Dear Secretary Hance:

In regards to the PMT regulations, I don't think enough consideration has been put into the results of such a regulation. I farm grain, vegetables and also have 2 poultry farms. With today's cost of inputs for farming, not being able to use my manure would only increase my cost and cut my production. Just because the levels may show high amounts for phosphorus it is not readily available to the plant which would greatly decrease yield which in turn affects the bottom line. I am truly against this regulation and would be surprised if any farmer isn't.

RECEIVED

OCT 29 2013

OFFICE OF THE SECRETARY
Our Farms, Our Future

Sincerely,

Name: RICKY Holland
Address: 1302 Colona Rd
Pocomoke Md 21851
Phone: 410 957 4898
Email: rthjwh@gmail.com

(131)

16-25-2013

1132
o A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
0 Harry S. Truman Parkway
Annapolis, Maryland 21401

RECEIVED

OCT 29 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

Dear Dr. Mercer:

I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward at breakneck speed for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as Secretary of Agriculture Earl Hance has stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

Allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool will cause no environmental harm. For decades, the scientific and regulatory community told farmers not to worry about applications of phosphorus to the soil because unless the soil moved, the phosphorus would not move. Recently, that thinking changed and farmers began applying manures based upon their phosphorus content. The phosphorus levels in soils and waters were achieved over decades and will not be corrected for decades, even if this new regulation changes manure application procedures in 2015. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. An orderly phase-in will allow the agricultural community to adjust and make required changes. Additionally, we saw firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and/or private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparisons in 2014-to provide - valid results does not seem feasible.

Here are some of my concerns about the near-immediate implementation of this regulation. First and foremost, how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done?

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cleaning/transporting company may not be able to sell the manure to make a profit and cover the costs of cleaning/transporting.

- Even if the MDA establishes the state storage sites, it will be the chicken growers' responsibility to transport the manure to the site, possibly creating a cost for the chicken growers.
- If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

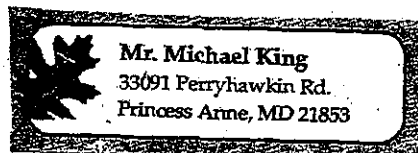
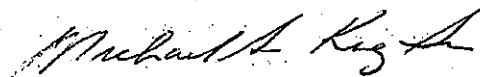
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Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality.

Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,



33
Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

RECEIVED

OCT 29 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

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Respectfully yours,

William J Marshall
34802 Mt. Hermon Rd
Pittsville Md.

16-25-2013

134
to A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

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OCT 29 2013

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Christopher W. Wheatley

Chris Wheatley
33091 Perryhawk Ln Rd
Princess Anne Md 21853

35
Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

RECEIVED

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Respectfully yours,

John Green
P.O. Box 95
ALLER, MD 21810

John Green
Signature

136
16-25-2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

RECEIVED

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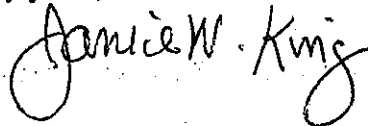
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Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality.

Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,



JANICE W. KING
33091 Perryhawk Rd
Princess Anne MD 21853

137

10-25-2013

RECEIVED

OCT 29 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

Dear Dr. Mercer:

I am a chicken grower who lives in Willards, MD and I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool.

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward at breakneck speed for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as Secretary of Agriculture Earl Hance has stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward at breakneck speed for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as you have stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

Allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool will cause no environmental harm. For decades, the scientific and regulatory community told farmers not to worry about applications of phosphorus to the soil because unless the soil moved, the phosphorus would not move. Recently, that thinking changed and farmers began applying manures based upon their phosphorus content. The phosphorus levels in soils and waters were achieved over decades and will not be corrected for decades, even if this new regulation changes manure application procedures in 2015. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. An orderly phase-in will allow the agricultural community to adjust and make required changes. Additionally, we saw firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and/or private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparisons in 2014 to provide valid results does not seem feasible.

Here are some of my concerns about the near-immediate implementation of this regulation. First and foremost, how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done?

Chicken Farms

- Denied the ability to use manure, a locally produced organic fertilizer, on their own crops, some chicken farmers will have to buy commercial fertilizer to replace chicken manure they already own. That will have a negative economic impact on the chicken growers.
- Chicken growers who have been selling their manure to other farmers may no longer have customers, thus a loss of income.
- Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the cleaning/transporting company may not be able to sell the manure to make a profit and cover the costs of cleaning/transporting.
- Even if the MDA establishes the state storage sites, it will be the chicken growers' responsibility to transport the manure to the site, possibly creating a cost for the chicken growers.
- If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality.

Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,

Sarfraz Ahmad

Willards, MD

SARFRAZ AHMAD
35618 RAYNE RD
WILLARDS, MD 20674

138
October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

Dear Mrs. Mercer,

I am writing to oppose the upcoming requirement that all Maryland nutrient management plans utilize the new, and untested, Phosphorus Management Tool (PMT). This tool will unfairly burden farm operations in my area by limiting and/or eliminating the option of poultry litter as an organic, slow release fertilizer. The costs associated with replacing poultry litter with an equivalent commercial fertilizer range from approximately \$100 to \$350 per acre. The additional costs associated with replacing litter as a nutrient source will place an unfair burden on Delmarva grain producers. In addition, poultry farmers will suffer as no viable option currently exists to take the manure generated on their farms, thus the costs of reutilization will fall on their shoulders. While MDA argues that the manure transport program will handle the exportation of manure, the reality is the trucking resources and cost recovery processes do not exist. Relocation of poultry litter on the scale required to satisfy the requirements under the PMT are not feasible, period!

Delmarva farmers and MDA through cost share programs have made considerable investments in storage, spreading equipment and manure management tools to minimize the environmental effects of poultry litter while maximizing the benefits to soil health and crop production. The PMT will render these investments useless and require similar and redundant investments wherever the ultimate fate of the manure resource proves to be.

I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

RECEIVED

OCT 29 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

Signature Edward S. Calloway Sr.

Printed Name Edward S. Calloway Sr.

Street Address 8398 Athol Road

City, State, Zip Martinsburg Md. 21837

139
Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

Randall L. Welch

Signature

Printed Name Randall L. Welch

Street Address 6220 Collins Rd.

City, State, Zip Lansdowne, MD 21849

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OCT 29 1983

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

140
October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

Dear Mrs. Mercer,

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I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

*I come from a farm & poultry family
and know that these regulations are
detrimental to Md.
farmers & to our region!
Please repeal!!*

Signature

Printed Name

Eraine Patterson ERRAINE PATTERSON

Street Address

9351 Colonial Mill Drive

City, State, Zip

Delmar, MD 21875

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OCT 29 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

141

October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

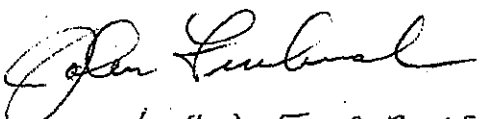
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I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

Signature 
Printed Name JOHN FURBUSCH
Street Address 31001 MT HERMON
City, State, Zip SALISBURY MD 21804

RECEIVED

OCT 29 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

142

October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

Signature

Charles A. Hickman

Printed Name

CHARLES A. HICKMAN

Street Address

32242 BOC RD

City, State, Zip

PARSONSBURG MD 21849

RECEIVED

OCT 29 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

143
October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

Dear Mrs. Mercer,

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I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

Patricia A. Welch

Signature

Printed Name Patricia A. Welch

Street Address 32562 MORRIS LEONARD Rd

City, State, Zip PARSONSBURG, MD 21849

RECEIVED

OCT 29 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

144



Paul Twining Associates, Inc.

10727 Twining Lane • Princess Anne, Maryland 21853-9536

Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21841

October 25, 2013

Dear Secretary Hance:

I live on Maryland's Eastern Shore and provide nutrition and production management consulting services to broiler companies that grow birds on the Eastern Shore of Maryland. As a scientist I am deeply concerned that the Maryland Department of Agriculture would rush to implement changes to the Phosphorus Site Index while there is still ongoing research and numerous questions concerning the data that has been released to date. It is doubly concerning that Maryland, as a member of a multi-state consortium that is developing a uniform phosphorus plan for the entire region with watersheds entering the Chesapeake Bay, has now elected to act on its own prior to any agreed upon recommendations from the multi-state organization.

It appears that these proposed phosphorus regulations are driven by political science at the highest level of the Maryland government and not by data driven science. I strongly recommend that any changes in the soil phosphorus regulations are delayed until these can be coordinated and merged with the data and proposals from the multi-state group. All the unintended consequences of these regulations should be reviewed and addressed prior to their implementation.

Thank you for your review and consideration of these issues.

Respectfully yours,

Paul Twining, Jr. Ph.D, PAS, Dipl. ACAN
Paul Twining Associates, Inc.
10727 Twining Lane
Princess Anne, MD 21853
Phone: (410) 749-2524
Fax: (410) 651-1833
E-mail: ptwining@intercom.net

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY

145
Insert date

10-24-13

Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21841

Dear Secretary Hance:

I am a (a crop farmer, a chicken grower, something else) who lives in (??? County) and I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool.

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward at breakneck speed for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as you have stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

Allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool will cause no environmental harm. For decades, the scientific and regulatory community told farmers not to worry about applications of phosphorus to the soil because unless the soil moved, the phosphorus would not move. Recently, that thinking changed and farmers began applying manures based upon their phosphorus content. The phosphorus levels in soils and waters were achieved over decades and will not be corrected for decades, even if this new regulation changes manure application procedures in 2015. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. An orderly phase-in will allow the agricultural community to adjust and make required changes. Additionally, we saw firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and/or private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparisons in 2014 to provide valid results does not seem feasible.

Here are some of my concerns about the near-immediate implementation of this regulation. First and foremost, how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done?

Chicken Farms

- Denied the ability to use manure, a locally produced organic fertilizer, on their own crops, some chicken farmers will have to buy commercial fertilizer to replace chicken manure they already own. That will have a negative economic impact on the chicken growers.
- Chicken growers who have been selling their manure to other farmers may no longer have customers, thus a loss of income.
- Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the cleaning/transporting company may not be able to sell the manure to make a profit and cover the costs of cleaning/transporting.

- Even if the MDA establishes the state storage sites, it will be the chicken growers' responsibility to transport the manure to the site, possibly creating a cost for the chicken growers.
- If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

Crop Farmers

- Denied the ability to use manure on their crops, crop farmers will have to buy commercial fertilizer to replace chicken manure that they have been using.
- Crop farmers who have used manure and not commercial fertilizers may have to buy or rent commercial fertilizer application equipment, thus raising their costs of doing business.
- Crop farmers wanting to hire a fertilizer applicator might find that there are not enough applicators or equipment in the short fertilizer application period to allow timely fertilizer applications. Increased demand in services will allow these applicators to raise their fees, thus higher costs for crop farmers.
- While commercial fertilizer will help a crop grow, the micronutrients and organic material in animal manure will help grow a larger crop. If yields are lessened due to the loss of organic material and micronutrients, then farmer income will diminish.
- Crop farmers and chicken farmers alike will most likely have to alter their business plans in ways that weaken their ability to withstand adverse growing conditions and/or markets – requiring new expenditures/capital purchases while at the same time artificially reducing their potential yields.
- Crop farmers could see increased effects of drought on their crops as a result of losing poultry litter's organic material that helps build up the soil's moisture retaining capabilities.

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Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,

Thomas Nguyen
 Insert printed name THOMAS NGUYEN (NGUYEN FARMS)
 Insert town BISHOPVILLE, MARYLAND



TOM MGYUEN
 12425 TINGLE LN
 BISHOPVILLE MD 21813-1681

Estimated Litter Removal Costs

October 2013

Many growers trade litter (includes sawdust and fecal material) for the service of crusting-out, windrowing, and cleaning-out their chicken houses. The service provider then sells the litter to farmers to cover his costs or uses it on farms as fertilizer. When/if the new rules go into effect, some service providers may no longer provide clean-out services or will start charging growers for the cost of their services. To help growers understand the cost associated with this change in business structure created by the proposed new regulation, the cost of clean-out and crust-out was evaluated from twenty farms to determine the average cost to growers.

The average cost of clean-out was \$3.67 per ton, while the average cost of crust-out was \$7.03 per ton. These costs do not include the cost of loading the litter into trucks for transport or the cost of transporting the litter. The cost to load litter for transport was approximately \$8.96 per ton. Transportation costs include a base rate (Table 1) along with a fuel surcharge that varies depending on the cost of fuel at the time the litter was transported.

While clean-outs generally are not done but every few years, depending upon the chicken company's schedule, crust-outs are preformed after most flocks are moved, and therefore are preformed multiple times a year depending on the size of bird grown. Because of the multitude of differences in the size of houses, the costs are reported on a per ton basis. To estimate the cost a grower would incur, growers need to have an estimate of the amount of litter produced on their farm. This amount can be found in their Nutrient Management Plan, or it can be estimated by determining the volume of litter and then multiplying by 35 lbs per ft² to determine its approximate weight.

Actual cost per ton will vary on every farm because the amount of litter or crust produced is affected by: length of grow-out, breed of bird, management of ventilation, waterers, feeds, clean-out schedule as well as the type of equipment used to remove cake. As the cost is based on a per ton basis, farms that remove a lot of litter will have a lower per ton cost, but can incur a higher overall cost.

Table 1

Distance (Round Trip)	Rate/ Ton*
1 – 24	\$125.00**
25 – 29	\$6.00
30 – 34	\$6.50
35 – 39	\$7.00
40 – 49	\$8.00
50 – 59	\$9.00
60 – 69	\$10.00

*Average 24 tons per load, fuel surcharge not included

**Set fee for that distance

Jon Moyle
University of Maryland Extension Poultry Specialist
410-742-1178

Bill Brown
University of Delaware Poultry Extension Agent
302-236-1887

146



**Somerset Soil Conservation District
Howard Anderson Agricultural Building
30730 Park Drive - Princess Anne MD. 21853
Phone (410) 651-1575**

Secretary Buddy Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21401

October 28, 2013

Secretary Hance,

I am writing you this letter in reference to the comment period about the new Phosphorous Management Tool (PMT) regulation. I would like to make a comment about the water quality of the Pocomoke & Tangier Sounds. These two water bodies encompass approximately 100% of the poultry farm water runoff of the Eastern Shores lower three counties. The Somerset Soil Conservation District has a board member that is a waterman and poultry farmer from Crisfield. He stated to the board during last Thursday nights board meeting that the water quality is in its best condition that he has seen in his lifetime. Nowhere in the state does water quality count any more than the seafood capital of the world "Crisfield Maryland".

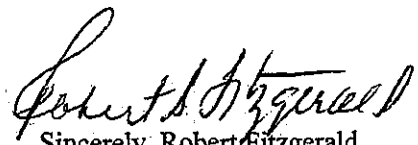
The water quality and oyster population in these two bodies of water has never been better in recent memory. Bottom fishing is the best it's been in twenty five years. With this being said, all the residents of the lower Eastern Shore hear and read is how the poultry industry is destroying the water quality of the Chesapeake Bay. Now it appears that the Maryland Dept. of Agriculture is pushing as hard as it can to make "The Phosphorous Management Tool" apply to all farms with fertility Index Value of 150 or more meaning no animal waste will be applied to farms that already have excessive nutrients in their soil. The 150 number is already in question. Is this a Water keeper's number? Maryland Extension number? It seems Frank Cole and Josh McGrath think 350 would have been a more realistic number that everyone could live with.

The public meetings that you and Royden have recently held throughout the state have shown that 100% of Maryland farmers are opposed to this tool and the new Phosphorus Index Law as presented. Maryland Farmers want the BMPs that are already regulating the use of manure application with nutrient management, given a chance to work. It appears that if this law is shoved through the comment period and is not given a chance for good science to lower the index number, that Maryland politics have prevailed and have placed yet another nail in the coffin lid of Maryland farmers.

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY


Sincerely, Robert Fitzgerald
Chairman, Somerset SCD

Board of Supervisors

Robert Fitzgerald
Chairman

William Cottman
Vice-Chairman

Rantz Purcell
Member

Frederick Nelson
Member

Steve Cullen
Treasurer

147
October 24, 2013

RECEIVED

OCT 30 2013

Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21841

OFFICE OF THE SECRETARY

Dear Secretary Hance:

I am a grain farmer and chicken grower who lives in Queen Anne County. I am concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool.

This regulation is going to have a huge impact on the state's agricultural community. I believe this regulation has been based on incomplete research. The researchers at the University of Maryland have stated that their work is not done, yet the state is moving forward at full speed for what appears to be a political reason. Instead of focusing on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then enhanced efforts may be needed, but as you have stated, we are at 130% of the goal. That is an accomplishment that seems to be ignored by Governor O' Malley, the Maryland Department of Agriculture, and the EPA.

It would cause no environmental harm to allow an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool. For decades, the scientific and regulatory community told farmers not to worry about applications of phosphorus to the soil because unless the soil moved, the phosphorus would not move. The phosphorus levels in the soil and in water were achieved over decades and will not be corrected for decades, even if this new regulation changes manure application procedures in 2015. An orderly phase-in will allow the agricultural community to adjust and make required changes.

It concerns me that the Department of Agriculture could even think of proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done.

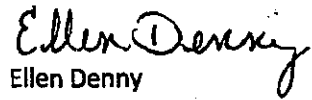
In our farming operation alone we will be forced to by additional more expensive commercial fertilizer, as will many other farmers, instead of being able to use this valuable organic fertilizer, locally produced by poultry farms including our own.

Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, and the entire state of Maryland without noticeable improvements in water quality.

Please slow this down. Allow the scientific research to be completed and then allow an orderly phase-in. Without alternative uses of manure and cost effective replacements for this soon-to-be lost

organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,

A handwritten signature in cursive script that reads "Ellen Denny".

Ellen Denny
Queenstown, MD.
eldenny@verizon.net

Denny
P.O. Box 63
Wye Mills, MD, 21679

148

DOUBLE TROUBLE FARMS
5419 ELDORADO-SHARPTOWN ROAD
RHODESDALE, MD. 21659

October 27, 2013

Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21841

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY

Dear Secretary Hance:

I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool. I am concerned because I am a farmer and a chicken grower.

This proposed regulation is based on incomplete research, which will have a huge impact on the state's agricultural community. The state is moving forward at a very high speed for what appears to be political reasons when the University of Maryland researchers have stated that their work is not done. Why the hurry? The department seems more concerned with appeasing the U.S. Environmental Protection Agency, rather than being focused on how to support and improve the agricultural community. Enhanced efforts would be needed if the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, but as you have stated, we are 130% of the goal. Governor O'Malley, the Maryland Department of Agriculture, and the EPA seem to have lost that accomplishment.

No environmental harm would be done by allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool. For decades, the regulatory and scientific community have told farmers not to worry about applications of phosphorus to the soil because unless the soil was moved, the phosphorus would not move. That thinking has changed and farmers began applying manures based upon their phosphorus content. Phosphorus levels in soils and water were achieved over decades and will not be correct for decades, even if this new regulation changes manure application procedures in 2015. An orderly phase-in will allow the agricultural community to adjust and make required changes. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. I saw firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and the private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparison in 2014 to provide valid results does not seem feasible.

As a Chicken Grower, my concerns about the near-immediate implementation of this regulation is how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on family farms when no meaningful economic impact analysis have been done. This regulation as a chicken farm denies me the ability to use manure, a locally produced organic fertilizer, on my own crops. I would have to buy commercial fertilizer to replace chicken manure that I already own. This will have a negative economic impact on me a chicken grower.

Also I would have a loss of income because I would not be able to sell my manure to other farmers. Other Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the cleaning/transporting company may not be able to see the manure to make a profit and cover the cost of cleaning/transporting.

It will be the chicken growers' responsibility to transport the manure to the site even if the MDA establishes the state storage sites which would create a cost for the chicken grower.

If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

As a crop farmer my concerns about the implementation of this regulation is that it will deny me the ability to use manure on my crops. I will have to buy commercial fertilizer to replace chicken manure that I have been using. An added cost to the farmer.

Another thing that would raise the cost of farming. I would have to buy or rent commercial fertilizer application equipment. If I hired a fertilizer applicator, I might find that there are not enough applicators or equipment in the short fertilizer application period to allow timely fertilizer applications. Increased demand in services will allow these applicators to raise their fees, thus higher cost for the farmer again.

While commercial fertilizer will help a crop grow, the micronutrients and organic material in animal manure will help grow a larger crop. This will cause yields to lessened due to the loss of organic material and micronutrients which will decrease the farmers income.

Chicken Farmers and crop farmers will most likely have to alter their business plans in ways that weaken their ability to withstand adverse growing conditions requiring new expenditures and capital purchases while at the same time artificially reducing their potential yields.

As a farmer I can see increased effects of drought on my crops as a result of losing poultry litter's organic material that helps build up the soil's moisture retaining capabilities.

There will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality once this regulation is put into effect, as it appears will be and contrary to the wishes of many in the agricultural community.

Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Tremendous harm will come to the State of Maryland without improving the environment, without alternative uses of manure and cost effective replacements for this soon to be lost organic fertilizer. Please, slow this down!

Respectfully yours,

A handwritten signature in cursive script that reads "Robert A. Murphy".

Robert A. Murphy
Double Trouble Farms
Dorchester County, Rhodesdale, Md.

149
Paul Miles Jr.
200 Vinegar Hill Lane
Centreville, Maryland 21617

MDA
Secretary Buddy Hance
50 Harry S. Truman Parkway
Annapolis, MD 21401

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY

October 23, 2013

Dear Mr. Hance,

MDA should reconsider implementation of the New Phosphorous Management Tool. This tool is unproven science that to say the least was funded by the environmental groups to have this law put into effect.

At your meeting in Talbot County, Dr. Frank Coale could not answer questions as to whether this regulation would work or would reduce the amounts of Phosphorous in the Bay. In his own words he stated he "did not know".

I am a Certified Crop Advisor and Maryland Nutrient Management License holder. Your request to write plans for the next year using the old P Site Index and also the New Phosphorous Management Tool is a royal pain. This takes time and I am limited to the amount of time that I have to spend writing plans. This is double work and will only add frustration to the plan writer.

Maryland needs to look at fixing the problems with the Bay Model first before implementing more regulations. The model is overstating production of manure by 46% and does not take into consideration changes that have occurred since 2004. If you correct the production amount alone the state will meet its goals for 2025.

Impact studies should be done first to show the amount of money that this regulation will cost the farmer, grower, business, and the Maryland Tax Payer.

The old saying that __ it does not run up hill is being overlooked by MDA. The cleanest part of the Bay is from the Bay Bridge south, and that is where 95% of

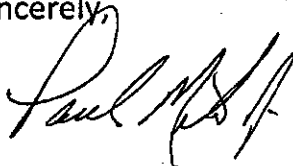
the poultry houses are located. If the State and MDA would have taken all the money that has been wasted on pressuring Maryland Farmers to meet more regulations and put in a filter system at the Conawingo Dam we would solve most of the problems.

The dirtiest tributary in the Bay is the Magothoy River and there are zero acres of farm land that flow to that river. You need to address the 9600 septic systems that are causing that problem. Also all the releases of Waste Water Plants into the Bay are major problems.

The regulations that were implemented for this fall on application of N to wheat have cost our business 60 % of our fall business. Dr. Krativil had talked at the Delaware Ag Week in 2012 and stated his findings that if there were 30 ppm of N in the soil that none should have been applied, but if the results were less than 30 ppm up to 30 lbs. of N would be helpful in the fall. MDA took his results and changed his recommendations to 10 ppm, this results in less business for our company.

Many farmers and producers made good points against the new regulation at the meetings, and the MDA should not implement the new regulation.

Sincerely,



Paul Miles Jr.
Certified Crop Advisor
Maryland Nutrient Management
Southern States Cooperative

*Paul Miles
200 Vinegar Hill Lane
Centerville, MD 21617*

150

October 24, 2013

Secretary Earle Hance
Maryland Department of Agriculture
50 Harry S. Truman Pkwy
Annapolis, Md. 21401

Dear Secretary Hance:

I oppose adoption of your proposed Phosphorus Management Tool (P M T). During the public meeting in Salisbury on October 8TH I questioned the scientific validity of your proposal to stop our use of poultry manure as a valuable organic nutrient source for corn production. You were unable to provide scientific analysis of the quoted University of Maryland data. I also presented detailed economic information for my farming operation without using poultry manure. My calculations show that if I am denied the use of manure on my 160 acres of corn, I will have to spend an additional \$20,880 annually to buy commercial fertilizer. You presented no economic analysis.

I attended the October 15th meeting in Easton. I thank Dr. Frank Coale from the University of Maryland for his sincere, straight-forward answers to my questions. It appears that this latest research involves analysis for phosphorus content in one hundred-plus soil samples statewide, with no data on phosphorus migration, no data on phosphorus loss from farms and no data on phosphorus deposition into the Chesapeake Bay!! We also heard from Dr. Coale that FIV 150 is a calculated theoretical number to indicate the amount of phosphorus needed to produce a satisfactory corn yield and is the point at which PMT restrictions begin. I understood from him that a FIV of 350 might not indicate any higher loss of phosphorus from my farm. I think that you may be interpreting the results of this data in a non-valid exercise of numbers.

We are interested in results to come from current research at the University of Delaware (as reported in The Delmarva Farmer- May 7, 2013) that promises much new information to show if phosphorus in the Chesapeake Bay originates from manure or fertilizer, from wastewater, from geological processes or possibly from the ocean. This area of science you are apparently not considering.

Secretary Hance, please do not implement this new regulation that relies on questionable scientific evaluation with no economic impact study.

Thank you:

W. Simpson Dunahoo
W. Simpson Dunahoo
25965 Porter Mill Rd
Hebron, Md. 21830

Cc: The Daily Times
The Delmarva Farmer
Delmarva Poultry Industry, Inc.

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OCT 30 2013

OFFICE OF THE SECRETARY

151
Oct 25, 2013

Jo A. Mercer, Ed.D. Mr Hance
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

RECEIVED
OCT 30 2013
MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

Dear Dr. Mercer, Mr Hance

As you are aware, we in the agriculture community are not in favor of the proposed regulations related to the Phosphorus Management tools.

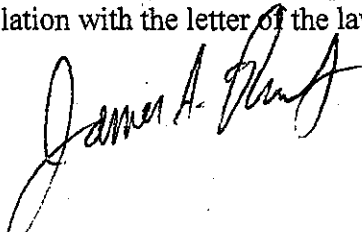
It would be my understanding that much of what is behind this is more than merely our State but the mandates from our Federal government, EPA etc. It is hard for us who farm to understand the array of proposals that come from who knows where that seems to be ignorant of the realities that we face on our farms. Sound scientific processes seem to be subject to political pressures and agenda's that have little understanding of true soil sciences. It is well known that Phosphorus does not move in the soil to the degree many suggest. Recently we took soil samples from CRP land that has been out of production for 15 years and the Phosphorus levels were equal to where we have used organic poultry manures at reasonable rates based on present Nutrient Management plans. They are in the high range of 300 on those CRP Acres that have had no added nutrients for 15 years. Please observe copies of Agrolab soil test. Yes we are high in Phosphorus but it is naturally so and always will be. Manures used in a responsible manner do not majorly change soil phosphorus levels. Phosphorus indexes need to be in the 350 plus range before even considering phosphorus to be a problem.

We as a individual family among many have already been deeply affected by the past mandates. Paper work, reducing our use of organic poultry manures and paying more for non organic commercial fertilizers. We see these new proposals as unworkable and unreasonable. It seems to me that this leaves us in the agricultural community no choice but to say that we cannot cooperate and may need to join as one saying kindly and say that we are finished. There may be no more cooperation at all with State and Federal programs. This is not to say that we do not wish to cooperate. Many programs by Soil conservation districts, NRCS, Cooperative services have been of great benefit over the many years. Even Crop insurance programs have been a benefit. Cover crop. These proposals are unworkable and unreasonable.

It is obvious that we are living governmental days of powerful moves toward a centralized government that wishes to control every aspect of the lives of its citizens. Whether it be education, health care, agriculture etc. Does the State of Maryland wish to give in to that Giant and eventually face the demise of this great nation that was built with an awareness of the one true God and upon the Bible. I appeal to you Mr Hance and all under your care to carefully consider the implications of the attempts to force so much upon us. Your own son picked up an auger from eztrail wagons that we picked up and brought to our farm. It was a pleasure to serve you in that way. I suspect that you understand what I am saying.

I am a Father of 10 children. Seven biological and three adopted. We enjoy our way of life on the farm. Please don't continue to suppress us. We have been blessed by many cooperative aspects of extension services etc. We don't feel we can cooperate with these new regulations. It will be impossible for us not to be in violation with the letter of the law in some way or other.

Sincerely,



James Kurtz
7614 Scotland Road
Snow Hill, Md 21863
443-235-8352



Account No. : 30

Soil Analysis Report

GROVE, DENNIS
24642 PORTER MILL RD
HEBRON MD 21830

Invoice No. : 1076182
Date Received : 02/14/2013
Date Reported : 02/15/2013

Results For : JAMES KURTZ
Location : T1077

Location: F107																													
Sample ID	Soil pH	Buffer pH	Soluble Salts 1:1 mmho/cm	Organic Matter %	NH4-N ppm	NO3-N ppm	Depth Nitrate Lbs N/A	U of D P Sat Ratio	Mehlich 3 Phosphorus ppm P / FIV	K ppm				Ca ppm	Mg ppm	Na ppm	SO4-S ppm	Zn ppm	Fe ppm	Mn ppm	Cu ppm	B ppm	Cl ppm	C.E.C. meq / 100g	% Base Saturation				
Lab No.	1:1			%																				H	K	Ca	Mg	Na	
8 11 12 28	New map # 3						0 - 8 in																						
3280	5.7	6.7		2.4				87	422	137	672	83												5.5	20	6	61	12	0
13 15	New map # 4						0 - 8 in																						
3281	5.8	6.8		1.6				40	168	87	389	48												3.2	20	7	60	13	0
4 20	New map # 6						0 - 8 in																						
3282	5.9	6.7		2.2				73	278	102	746	90												5.7	16	5	66	13	0
16 17	New map # 5						0 - 8 in																						
3283	5.5	6.8		1.9				37	133	71	384	55												3.6	26	5	56	13	0
21 24	New map # 7						0 - 8 in																						
3284	5.5	6.7		1.8				79	356	152	517	73												4.9	27	8	53	12	0

This island mostly taken out of A
15 year CRP program.
(No) nutrients have been applied for
15 years. Please observe
Phosphorus levels + compare
with land we have farmed
for years

Reviewed By: W.R. Rohrer - AgroLab, Inc.

Copy : 1

2/18/2013

Page 1 of 1

Bus: 302-265-2734
Fax: 888-412-0873

web site
www.agrolab.us

1009 Mattilind Way
Milford, DE 19963

Butterman's applied
Every other year
Please compost
those Phosphorus levels
with CFP
And
With no nutrients
Applied.



~~IT make~~

Account No. : 30

This land has been in production under our
care for 30 plus years. Manures applied 5 to 6 tons
in earlier years. In more recent years per
Nutrient management plans

GROVE, DENNIS
24642 PORTER MILL RD
HEBRON MD 21830

Invoice No. : 1069906
Date Received : 10/14/2010
Date Reported : 10/15/2010

Results For : JAMES KURTZ
Location : T1514

Sample ID	Soil pH	SMP Buffer pH	Soluble Salts 1:1 mmho/cm	Al ppm	Organic Matter %	NO3-N ppm	U of D P Sat Ratio	Mehlich 3 Phosphorus ppm P / FIV	K ppm	Ca ppm	Mg ppm	Na ppm	SO4-S ppm	Zn ppm	Fe ppm	Mn ppm	Cu ppm	B ppm	Cl ppm	C.E.C. maq / 100g	% Base Saturation				
Lab No.	1:1																				H	K	Ca	Mg	Na
JK 1									68	139	112									8.9	4.7	35	78	139	
2143	6.5	6.7			2.4		88	274	123	1390	148									11.3	25	3	81	11	0
JK 2					2.5		82	318	65	155	163									9.6	4.5	3.1	80	11.7	
2144	6.5	6.8							116	1550	136									11.4	19	3	88	10	0
JK 3					2.7		76	280	84	155	98									9.4	4.5	4	80.3	11.1	
2145	6.5	6.9							152	1650	129									10.0	8	4	77	11	0
JK 4A					2.1		110	360	80	136	94									8.3	3	40	81.5	14	
2146	6.7	6.8							145	1360	111									10.4	22	4	85	9	0
JK 4B P					2.7		86	274	191	179	106									16	0	5.6	82.2	22	
2147	7.3	7.0							348	2790	139									16.3	2	5	88	7	0
JK 5					2.3		65	245	91	124	87									8.1	6	6	77	12	
2148	6.6	7.1							178	1240	114									7.6	0	8	82	12	0
JK 6-14					1.9		80	236	68	121	78									7.2	0	4	84	12	
2149	7.0	7.0							123	1210	102									7.2	0	4	84	12	0
JK 7					3.7		81	367	97	151	134									12.1	11	2	75	12	
2150	6.3	7.0							108	1810	176									11.0	2	2	82	13	0
JK 8					3.7		68	279	77	151	106									11.1	2.9	3	67	10	
2152	5.5	6.9							140	1510	139									10.4	13	3	73	11	0
JK 9					3.6		45	220	88	131	117									11.6	19	4	56	11	
2153	5.3	6.9							160	1310	164									8.5	14	4	69	13	0
JK 10					3.2		74	315	68	164	108									11.5	15	3	72	16	
2154	6.0	6.9							123	1660	142									10.8	8	3	78	11	0
JK 11&12					4.2		29	147	94	140	87									9.5	11	5	73	10	
2155	6.2	7.0							171	1400	115									8.8	5	5	79	11	0
JK 13					1.5		39	112	45	107	49									7.6	12	3	77	8	
2156	7.7	6.9							82	1080	85									6.8	8	3	80	8	0
JK 16					2.0		89	481	83	107	66									7.2	10.5	5	78	10	
2157	6.3	6.8							161	1070	87									8.3	22	5	64	9	0

Reviewed By: W.R. Rohrer

Copy: 1

10/15/2010

Page 7 of 16

Bus: 302-266-2734
Fax: 888-412-0873

web site
www.agrolab.us

1008 Mattlind Way
Milford, DE 19963

152

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

Dear Dr. Mercer:

I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward at breakneck speed for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as Secretary of Agriculture Earl Hance has stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

Allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool will cause no environmental harm. For decades, the scientific and regulatory community told farmers not to worry about applications of phosphorus to the soil because unless the soil moved, the phosphorus would not move. Recently, that thinking changed and farmers began applying manures based upon their phosphorus content. The phosphorus levels in soils and waters were achieved over decades and will not be corrected for decades, even if this new regulation changes manure application procedures in 2015. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. An orderly phase-in will allow the agricultural community to adjust and make required changes. Additionally, we saw firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and/or private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparisons in 2014 to provide valid results does not seem feasible.

Here are some of my concerns about the near-immediate implementation of this regulation. First and foremost, how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done?

Chicken Farms

- Denied the ability to use manure, a locally produced organic fertilizer, on their own crops, some chicken farmers will have to buy commercial fertilizer to replace chicken manure they already own. That will have a negative economic impact on the chicken growers.
- Chicken growers who have been selling their manure to other farmers may no longer have customers, thus a loss of income.
- Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the

cleaning/transporting company may not be able to sell the manure to make a profit and cover the costs of cleaning/transporting.

- Even if the MDA establishes the state storage sites, it will be the chicken growers' responsibility to transport the manure to the site, possibly creating a cost for the chicken growers.
- If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

Crop Farmers

- Denied the ability to use manure on their crops, crop farmers will have to buy commercial fertilizer to replace chicken manure that they have been using.
- Crop farmers who have used manure and not commercial fertilizers may have to buy or rent commercial fertilizer application equipment, thus raising their costs of doing business.
- Crop farmers wanting to hire a fertilizer applicator might find that there are not enough applicators or equipment in the short fertilizer application period to allow timely fertilizer applications. Increased demand in services will allow these applicators to raise their fees, thus higher costs for crop farmers.
- While commercial fertilizer will help a crop grow, the micronutrients and organic material in animal manure will help grow a larger crop. If yields are lessened due to the loss of organic material and micronutrients, then farmer income will diminish.
- Crop farmers and chicken farmers alike will most likely have to alter their business plans in ways that weaken their ability to withstand adverse growing conditions and/or markets – requiring new expenditures/capital purchases while at the same time artificially reducing their potential yields.
- Crop farmers could see increased effects of drought on their crops as a result of losing poultry litter's organic material that helps build up the soil's moisture retaining capabilities.

Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality.

Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,

Thomas W. Wilkins
Poultry Grower



Mr Thomas W Wilkins
3923 Whitesburg Rd
Pocomoke City MD 21851-3651

153

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

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OCT 30 2013

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Respectfully yours,

Doris Weber



154

October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

Dear Mrs. Mercer,

I am writing to oppose the upcoming requirement that all Maryland nutrient management plans utilize the new, and untested, Phosphorus Management Tool (PMT). This tool will unfairly burden farm operations in my area by limiting and/or eliminating the option of poultry litter as an organic, slow release fertilizer. The costs associated with replacing poultry litter with an equivalent commercial fertilizer range from approximately \$100 to \$350 per acre. The additional costs associated with replacing litter as a nutrient source will place an unfair burden on Delmarva grain producers. In addition, poultry farmers will suffer as no viable option currently exists to take the manure generated on their farms, thus the costs of reutilization will fall on their shoulders. While MDA argues that the manure transport program will handle the exportation of manure, the reality is the trucking resources and cost recovery processes do not exist. Relocation of poultry litter on the scale required to satisfy the requirements under the PMT are not feasible, period!

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I urge you to delay the implementation of the new PMT to enable thorough testing of the science behind the tool, give time for alternative uses to develop, and for farmers to find suitable and cost effective replacements for organic fertilizer that will be outlawed on most soils.

Sincerely,

David Shockley

Signature

Printed Name DAVID SHOCKLEY
Street Address 7738 PARSONSBURG RD
City, State, Zip PARSONSBURG MD 21849

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

155

October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

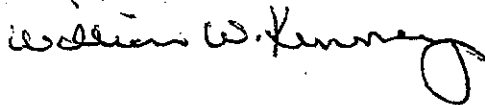
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Sincerely,



Signature

Printed Name WILLIAM W. KENNEY

Street Address 8121 Esham RD

City, State, Zip PARSONSBURG, MD.

21849

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MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

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October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,

Marcus Shackley

Signature

Printed Name

Marcus Shackley

Street Address

7738 Parsonsburg Rd.

City, State, Zip

Parsonsburg Md 21849

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

157

October 19, 2013

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Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,

Patricia L. Fisher

Signature

Printed Name PATRICIA L. FISHER
Street Address 2960 JESTERVILLE RD
City, State, Zip NANTICOKE, MD 21840

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

158
October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,



Signature

Printed Name

GLENN MARVEL

Street Address

4108 HARVEST LANE

City, State, Zip

SALISBURY MD 21804

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

159

October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,

Carolyn Webster

Signature

Printed Name CAROLYN WEBSTER

Street Address 32087 SHAWAY RD

City, State, Zip Salisbury, MD 21804

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OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

160
October 19, 2013

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Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,

Signature

Raymond N. Welch

Printed Name

RAYMOND NEIL WELCH

Street Address

6237 WHITMAN RD.

City, State, Zip

PARSONS BURG MD. 21849

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

Secretary of Agriculture Buddy Hance stated that he had received only eight comments about the new Phosphorus Management Tool (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson, President, Maryland Grain Producers Association



Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

FARMING IS ALREADY OVER REGULATED. TO IMPOSE MORE REGULATION ON FARMERS ON THE ESTATE SHARE CAN ONLY HURT. AND THERE ARE VERY LITTLE JOBS HERE AND TO DRIVE FARMING + THE POLITY INDUSTRY. THE STATE WOULD SHUT DOWN THE ECONOMY OF THE ESTATE SHARE. THERE ARE MILLIONS OF GALLONS OF WATER THAT COME TO THE ESTATE FROM AS FAR A WAY AS - UP STATE NO PENNSYLVANIA + VIRGINIA. LOTS REQUEST THIS STATE WATER + RUN OUT FIRST

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY

Our Farms, Our Future

Sincerely,
Name: FRANK SMIGLE
Address: 5854 COURTHOUSE HILL RD
BOWERS MD 2183
Phone: _____
Email: _____

161

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Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

I am unhappy about the adverse effect
the new PMT Regulation will have on Agriculture.

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY

Our Farms, Our Future

Sincerely,
Name: Ronald Diem
Address: 9781 Foy Rd
Denton MD 21629
Phone: 410 924 1252
Email: _____

162

Secretary of Agriculture Buddy Hance stated that he had received only eight comments about the new Pesticide Management Tool (PMT) regulation. We wanted to make sure you have the opportunity to make your voice heard. Kevin Anderson, President, Maryland Grain Producers Association.



Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

I feel the science behind the PMT regulations have not been studied enough and more work needs to be done. Also the economic impact to the Eastern Shore poultry operation and grain producers has not been determined. This regulation if imposed would change the face of farming on the Eastern shore and the economic stability of farmers, ag business and people whose jobs depend on the poultry industry.

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY
Emory Faraha

QUEENSTOWN, MD.
21658

MAIL

Sincerely,
Name: Walter Denny
Address: P.O. Box 63
Wye Mills Md 21679
Phone: Home 410-758-1179 Cell 410-310-1986
Email: edenny@verizon.net

163

Our Farms, Our Future

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Dear Secretary Hance:

The implementation of the PMT must be put on hold until:

1. The Bay Model is updated with accurate info & run again to determine just what reductions ag will need to make to achieve goals for 2015.
2. Give time for farmers & N.M. planners to understand how to use PMT.
3. Give more time for researchers to fine-tune the tool
4. Wait for other watershed states to catch up & implement the tool at same time
5. Have alternative uses for poultry & dairy manure online before implementing PMT

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY
Our Farms, Our Future

Sincerely,

Name: Patricia Langenfelder
Address: 11974 Black Station Rd
Kennedyville MD 21645
Phone: 410-348-5505
Email: socee@baybroadband.net

164

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Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

What is your rush to impose new PMT regulations on farmers? You know the science is not in yet. By rushing to judgement you will cost farmers a lot of money. In the case of our farm, we figure it will cost us fifty thousand dollars per year. You don't give one regulation time to work before you jump to another. Science doesn't seem to matter anymore at MDA since you became Secretary. As long as we have bureaucrats making these decisions without the science behind the decisions things will never get better for anyone. When you became Secretary of MDA, I thought we had someone to stand up for Ag. But I was wrong! You are a bureaucrat without courage to stand up to political issues and agendas. What a disappointment you have been to me and most in Ag.

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY
Our Farms, Our Future

Sincerely,

Name: Lin Spicer
Address: 4550 Golden Hill Rd
Crocks Creek Md 21622
Phone: 410 228 3366
Email: Spicer616@verizon.net

165

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Please use the space below to send comments regarding the PMT regulations to the Department of Agriculture. Comments should be received before November 18th. Alternatively, comments can be emailed to: Earl.Hance@maryland.gov.

Dear Secretary Hance:

I work for Crop Production Services in Pocomoke MD. If these regulations go through, you and Gov O'Malley will be taking business away from my business. We don't move much phosphorus fertilizer now. If this number goes lower, it will be a disaster. Also, if farmers cannot apply a certain amount of manure, you will be putting farmers out of business. They all cannot afford custom fertilizer. We need agriculture on the shore. If it leaves, NO ONE will have a job here. It affects everyone. Ocean City will close up because it will be a ghost town. Please Reconsider this New tool.

RECEIVED

OCT 30 2013

OFFICE OF THE SECRETARY
Our Farms, Our Future

Sincerely,

Name: Tell Harris CPS Facility Manager
Address: 7311 Ocean Highway
Pocomoke Md 21851
Phone: 410-251-7772
Email: TellHarris@CPSAGU.com

166

167

October 19, 2013

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,

Signature

Printed Name

Ronald T. Fisher

Street Address

2960 JESTERVILLE RD

City, State, Zip

NAOTICOK, MD 21840

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

168

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Sincerely,



Signature

Printed Name JAMES M. WADE

Street Address 20815 DAK GROVE Church Rd.

City, State, Zip BIVALE MD. 21814

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

169

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Sincerely,

Kim M. Wade

Signature

Printed Name Kim M. Wade

Street Address 20815 Oak Grove Ch. Rd

City, State, Zip Bivalve, MD 21814

RECEIVED

OCT 30 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
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170

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Sincerely,

Signature H. Jean Leonard
Printed Name H. JEAN LEONARD
Street Address 29140 WALLER RD
City, State, Zip DELMAR MD 21875

RECEIVED

NOV - 1 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS



Ms. Jean Leonard
29140 Waller Rd.
Delmar, MD 21875

171

October 19, 2013

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Maryland Department of Agriculture
50 Harry S Truman Pkwy
Annapolis, MD 21401

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Sincerely,

Randolph B. Bloxom

Signature

Printed Name Randolph B. Bloxom

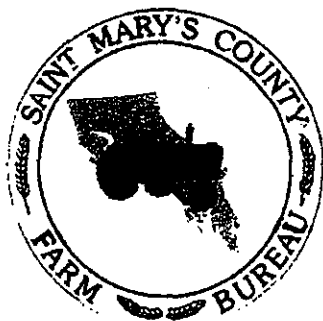
Street Address 3172 Windrows Way

City, State, Zip Eden, MD 21822

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NOV -1 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS



ST. MARY'S COUNTY FARM BUREAU

STE. F, 26737 Radio Station Way

Leonardtown, MD 20650

301-475-0050

st.marys.mdfarlbureau.com

WORKING FOR SUSTAINABLE AGRICULTURE SINCE 1925

October 30, 2013

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NOV 1 2013

OFFICE OF THE SECRETARY

Earl F. Hance, Secretary
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

Re: January 25, 2013 Maryland Register Proposal on Phosphorus Site Index (PSI)

Dear Secretary Hance,

On behalf of the 800 members of the St. Mary's County Farm Bureau, I am writing to urge MDA to withdraw the proposed changes to the Phosphorus Site Index until such a time as the research community can complete the peer review and make necessary changes to the tool. It is our understanding that the peer review process is currently underway. It makes no sense to rush to implement a new PSI standard that is likely to need re-drafting as soon as it is implemented. This will cause confusion on farms and in the nutrient marketplace. We believe that adoption of the new PSI will mean dramatic changes to the way fields are fertilized, particularly on the lower shore and on the slopes of central and western Maryland.

The Chesapeake Bay model does not recognize the phosphorus reductions that have already been made. MDA cites the TMDL Watershed Implementation Plan (WIP) schedule as the primary reason for immediate implementation. However, it should be noted that Maryland will not be credited with pollution reduction from the PMT until after the next version of the Bay Model is released in 2017 or beyond. According to Maryland Farm Bureau, until new "efficiencies" are established for this "enhanced nutrient management" technique, EPA will not recognize the additional effort.

We request that the implementation of the new PMT be delayed until 2017. This will give researchers time to better ground-truth the Phosphorus Management Tool, it will coincide with the schedule for the Bay Model update that will measure the phosphorus reductions achieved through the use of the new tool, allow adjoining watershed states to catch up and adopt the tool on the same timeframe, and allow state officials, farm and environmental groups to undertake a public relations campaign to "un-demonize" and educate the general public about the benefits of stockpiling poultry litter and manure for use at the appropriate time for optimal crop growth.

Earl F. Hance, Secretary
October 30, 2013

The agriculture sector in Maryland is meeting and exceeding our goal for the TMDL/WIP strategy. According to the Maryland Farm Bureau, the most recent two-year milestone shows that *Maryland agriculture is at 130% of our goal*. Farmers are doing more than their fair share and they are committed to continued improvement. Our historic adoption of Best Management Practices and our continual effort to meet and exceed goals demonstrates our commitment. Allowing the poultry and dairy sectors the time to adopt the changes required by the new PMT in a manner that will not disrupt the industry will not put our Bay restoration effort at risk. In fact, preserving farm businesses and the Bay is good for all Marylanders.

Rushing ahead with a new regulation on the PSI before the science is perfected by the research community is premature. MDA should delay implementation until 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "James K. Raley, Jr.", with a stylized flourish at the end.

James K. Raley, Jr.
President
St. Mary's County Farm Bureau

Cc: Jo A. Mercer, Ed. D

173
Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

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NOV -1 2013

MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

Dear Dr. Mercer:

I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward at breakneck speed for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as Secretary of Agriculture Earl Hance has stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

Allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool will cause no environmental harm. For decades, the scientific and regulatory community told farmers not to worry about applications of phosphorus to the soil because unless the soil moved, the phosphorus would not move. Recently, that thinking changed and farmers began applying manures based upon their phosphorus content. The phosphorus levels in soils and waters were achieved over decades and will not be corrected for decades, even if this new regulation changes manure application procedures in 2015. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. An orderly phase-in will allow the agricultural community to adjust and make required changes. Additionally, we saw firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and/or private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparisons in 2014 to provide valid results does not seem feasible.

Here are some of my concerns about the near-immediate implementation of this regulation. First and foremost, how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done?

Chicken Farms

- Denied the ability to use manure, a locally produced organic fertilizer, on their own crops, some chicken farmers will have to buy commercial fertilizer to replace chicken manure they already own. That will have a negative economic impact on the chicken growers.
- Chicken growers who have been selling their manure to other farmers may no longer have customers, thus a loss of income.
- Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the

cleaning/transporting company may not be able to sell the manure to make a profit and cover the costs of cleaning/transporting.

- Even if the MDA establishes the state storage sites, it will be the chicken growers' responsibility to transport the manure to the site, possibly creating a cost for the chicken growers.
- If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

Crop Farmers

- Denied the ability to use manure on their crops, crop farmers will have to buy commercial fertilizer to replace chicken manure that they have been using.
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- Crop farmers wanting to hire a fertilizer applicator might find that there are not enough applicators or equipment in the short fertilizer application period to allow timely fertilizer applications. Increased demand in services will allow these applicators to raise their fees, thus higher costs for crop farmers.
- While commercial fertilizer will help a crop grow, the micronutrients and organic material in animal manure will help grow a larger crop. If yields are lessened due to the loss of organic material and micronutrients, then farmer income will diminish.
- Crop farmers and chicken farmers alike will most likely have to alter their business plans in ways that weaken their ability to withstand adverse growing conditions and/or markets – requiring new expenditures/capital purchases while at the same time artificially reducing their potential yields.
- Crop farmers could see increased effects of drought on their crops as a result of losing poultry litter's organic material that helps build up the soil's moisture retaining capabilities.

Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality.

Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,

Ryan Marshall

Pittsville

Ryan Marshall
34802 Mt Vernon Rd
Pittsville MD 21850-2145

124

Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

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MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
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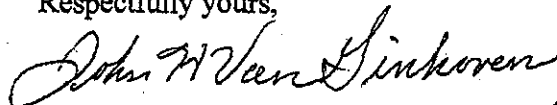
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Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,



John H Van Ginhoven

P.O. Box 518

Princess Anne Md. 21853

175
Jo A. Mercer, Ed.D.
Administrator, Nutrient Management Program
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

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MD DEPARTMENT OF AGRICULTURE
NUTRIENT MANAGEMENT PROGRAM
ANNAPOLIS

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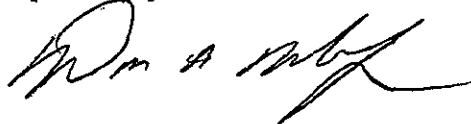
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Respectfully yours,



Wm A Moore Jr

Moore Farms
31820 Coveys Landing Rd
Conelockville MD 21625

176

Oct. 28, 2013

Secretary Earl D. Hance
Md. Depart. Of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21841

Dear Secretary Hance:

I am a crop farmer and a chicken grower who lives in Caroline County and I am extremely concerned about the MDA's proposed regulation related to the Phosphorus Management Tool.

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. EPA.

You have heard all the reasons why not to put this in to effect right away. So I'm hoping you will slow this down. Allow the scientific research to be completed and then allow an orderly phase-in.

Respectfully yours,

George Bowman

George Bowman

Greensboro, Md.

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177
Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21401

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OFFICE OF THE SECRETARY

10. 29. 13

Dear Secretary Hance:

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Here are some of my concerns about the near-immediate implementation of this regulation. First and foremost, how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done?

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- Chicken growers who have been selling their manure to other farmers may no longer have customers, thus a loss of income.
- Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the cleaning/transporting company may not be able to sell the manure to make a profit and cover the costs of cleaning/transporting.

- Even if the MDA establishes the state storage sites, it will be the chicken growers' responsibility to transport the manure to the site, possibly creating a cost for the chicken growers.
- If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

Crop Farmers

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- While commercial fertilizer will help a crop grow, the micronutrients and organic material in animal manure will help grow a larger crop. If yields are lessened due to the loss of organic material and micronutrients, then farmer income will diminish.
- Crop farmers and chicken farmers alike will most likely have to alter their business plans in ways that weaken their ability to withstand adverse growing conditions and/or markets – requiring new expenditures/capital purchases while at the same time artificially reducing their potential yields.
- Crop farmers could see increased effects of drought on their crops as a result of losing poultry litter's organic material that helps build up the soil's moisture retaining capabilities.

Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality.

Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,

Young Kim
4670 Jhon Cooper Rd.

Young Kim
4670 Jhon Cooper Rd.
Laurel. DE 19956

178

BELLVIEW FARMS INC.
4820 CENTENNIAL ROAD
RHODESDALE, MD. 21659

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OFFICE OF THE SECRETARY

October 27, 2013

Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21841

Dear Secretary Hance:

We are extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool. We are concerned because we are a farmer and a chicken grower.

This proposed regulation is based on incomplete research, which will have a huge impact on the state's agricultural community. The state is moving forward at a very high speed for what appears to be political reasons when the University of Maryland researchers have stated that their work is not done. Why the hurry? The department seems more concerned with appeasing the U.S. Environmental Protection Agency, rather than being focused on how to support and improve the agricultural community. Enhanced efforts would be needed if the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, but as you have stated, we are 130% of the goal. Governor O'Malley, the Maryland Department of Agriculture, and the EPA seem to have lost that accomplishment.

No environmental harm would be done by allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool. For decades, the regulatory and scientific community have told farmers not to worry about applications of phosphorus to the soil because unless the soil was moved, the phosphorus would not move. That thinking has changed and farmers began applying manures based upon their phosphorus content. Phosphorus levels in soils and water were achieved over decades and will not be correct for decades, even if this new regulation changes manure application procedures in 2015. An orderly phase-in will allow the agricultural community to adjust and make required changes. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. We have seen firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and the private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparison in 2014 to provide valid results does not seem feasible.

As a Chicken Grower, our concerns about the near-immediate implementation of this regulation is how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on family farms when no meaningful economic impact analysis have been done. This regulation as a chicken farm denies us the ability to use manure, a locally produced organic fertilizer, on our own crops. We would have to buy commercial fertilizer to replace chicken manure that we already own. This will have a negative economic impact on us a chicken grower.

Also we would have a loss of income because we would not be able to sell our manure to other farmers. Other Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the cleaning/transporting company may not be able to see the manure to make a profit and cover the cost of cleaning/transporting.

It will be the chicken growers' responsibility to transport the manure to the site even if the MDA establishes the state storage sites which would create a cost for the chicken grower.

If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

As a crop farmer our concerns about the implementation of this regulation is that it will deny us the ability to use manure on our crops. We will have to buy commercial fertilizer to replace chicken manure that we have been using. An added cost to the farmer.

Another thing that would raise the cost of farming. We would have to buy or rent commercial fertilizer application equipment. If we hired a fertilizer applicator, we might find that there are not enough applicators or equipment in the short fertilizer application period to allow timely fertilizer applications. Increased demand in services will allow these applicators to raise their fees, thus higher cost for the farmer again.

While commercial fertilizer will help a crop grow, the micronutrients and organic material in animal manure will help grow a larger crop. This will cause yields to lessened due to the loss of organic material and micronutrients which will decrease the farmers income.

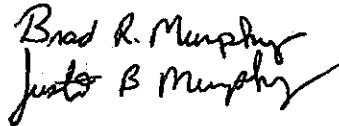
Chicken Farmers and crop farmers will most likely have to alter their business plans in ways that weaken their ability to withstand adverse growing conditions requiring new expenditures and capital purchases while at the same time artificially reducing their potential yields.

As farmers we can see increased effects of drought on our crops as a result of losing poultry litter's organic material that helps build up the soil's moisture retaining capabilities.

There will be many negative effects to the farming community, individuals like us, and the entire state of Maryland without noticeable improvements in water quality once this regulation is put into effect, as it appears will be and contrary to the wishes of many in the agricultural community.

Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Tremendous harm will come to the State of Maryland without improving the environment, without alternative uses of manure and cost effective replacements for this soon to be lost organic fertilizer. Please, slow this down!

Respectfully yours,

Handwritten signatures of Brad R. Murphy and Justin B. Murphy. The signature for Brad R. Murphy is written above the signature for Justin B. Murphy.

Brad R. Murphy
Justin B. Murphy
Bellview Farms Inc.
Dorchester County, Rhodesdale, Md.

17a
Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21401

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NOV 1 2013

OFFICE OF THE SECRETARY

Oct. 28, 2013

Dear Secretary Hance:

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- Denied the ability to use manure, a locally produced organic fertilizer, on their own crops, some chicken farmers will have to buy commercial fertilizer to replace chicken manure they already own. That will have a negative economic impact on the chicken growers.
- Chicken growers who have been selling their manure to other farmers may no longer have customers, thus a loss of income.
- Chicken growers who have had their chicken houses cleaned with manure removed from the farm without charge may now have to pay somebody to clean the houses and transport the manure since the cleaning/transporting company may not be able to sell the manure to make a profit and cover the costs of cleaning/transporting.

- Even if the MDA establishes the state storage sites, it will be the chicken growers' responsibility to transport the manure to the site, possibly creating a cost for the chicken growers.
- If the value of manure is lost, then alternative use companies might start charging a fee to accept manure, much like a landfill charges for disposal. If any alternative use companies start operating, and nothing of any magnitude appears to be on the horizon, they might charge a disposal fee instead of buying manure or accepting it for free.

Crop Farmers

- Denied the ability to use manure on their crops, crop farmers will have to buy commercial fertilizer to replace chicken manure that they have been using.
- Crop farmers who have used manure and not commercial fertilizers may have to buy or rent commercial fertilizer application equipment, thus raising their costs of doing business.
- Crop farmers wanting to hire a fertilizer applicator might find that there are not enough applicators or equipment in the short fertilizer application period to allow timely fertilizer applications. Increased demand in services will allow these applicators to raise their fees, thus higher costs for crop farmers.
- While commercial fertilizer will help a crop grow, the micronutrients and organic material in animal manure will help grow a larger crop. If yields are lessened due to the loss of organic material and micronutrients, then farmer income will diminish.
- Crop farmers and chicken farmers alike will most likely have to alter their business plans in ways that weaken their ability to withstand adverse growing conditions and/or markets – requiring new expenditures/capital purchases while at the same time artificially reducing their potential yields.
- Crop farmers could see increased effects of drought on their crops as a result of losing poultry litter's organic material that helps build up the soil's moisture retaining capabilities.

Once this regulation is in effect, as it appears it will be and contrary to the wishes of many in the agricultural community, there will be many negative effects to the farming community, individuals like me, and the entire state of Maryland without noticeable improvements in water quality.

Please, slow this down. Allow the scientific research to be completed and then allow an orderly phase-in much as the game-changing Water Quality Improvement Act of 1998 allowed a phase-in period. Without alternative uses of manure and cost effective replacements for this soon-to-be lost organic fertilizer, tremendous harm will come to the state of Maryland without improving the environment.

Respectfully yours,

An Young Sank
Girdletree, MD

An Young Sank
5450. Onley Rd.
Girdletree, MD 21829

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Secretary Earl D. Hance
Maryland Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland 21401

RECEIVED

NOV 1 2013

OFFICE OF THE SECRETARY

Dear Secretary Hance:

I am extremely concerned about the Maryland Department of Agriculture's proposed regulation related to the Phosphorus Management Tool

My first fear is that the proposed regulation, which will have huge impacts on the state's agricultural community, is based on incomplete research. The University of Maryland researchers have stated that their work is not done, yet the state is moving forward at breakneck speed for what appears to be political reasons. Rather than being focused on how to support and improve the agricultural community, the department seems more concerned with appeasing the U.S. Environmental Protection Agency. If the farming sector in Maryland was lagging in achieving Chesapeake Bay Watershed Implementation Plan goals, then perhaps enhanced efforts would be needed, but as you have stated, we are at 130% of the goal. That's an accomplishment that seems to be lost on Governor O'Malley, the Maryland Department of Agriculture, and the EPA.

Allowing an extended and orderly phase-in of the implementation date of the Phosphorous Management Tool will cause no environmental harm. For decades, the scientific and regulatory community told farmers not to worry about applications of phosphorus to the soil because unless the soil moved, the phosphorus would not move. Recently, that thinking changed and farmers began applying manures based upon their phosphorus content. The phosphorus levels in soils and waters were achieved over decades and will not be corrected for decades, even if this new regulation changes manure application procedures in 2015. Waiting a few more years to allow for an orderly phase-in will not cause any harm to our environment. An orderly phase-in will allow the agricultural community to adjust and make required changes. Additionally, we saw firsthand how difficult and time consuming it was for Maryland CAFO farmers to obtain a Comprehensive Nutrient Management Plan and to think the conservation districts, the University of Maryland Extension, and/or private consultants can do enough side-by-side Phosphorus Site Index/Phosphorus Management Tool comparisons in 2014 to provide valid results does not seem feasible.

Here are some of my concerns about the near-immediate implementation of this regulation. First and foremost, how can the Department of Agriculture even think about proposing a regulation that could cause such financial hardships on farm families when no meaningful economic impact analysis has been done?

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Respectfully yours,

Clara Lee
Eden, MD 21822



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